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MAR 17 2006

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David Silvers
For: WIRELESS WELL COMMUNICATION SYSTEM AND METHOD FOR USING
THE SAME
Serial No.: 10/709,648 **Filed:** 05/19/04
Docket No. 71568-0007 **Examiner:** M. Horabik
Group Art Unit: 2635

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))	
I hereby certify that this correspondence is, on the date shown below, being:	
<input type="checkbox"/> deposited with the United States Postal Service with sufficient postage as Express Mail, in an envelope addressed to the Commissioner for Patents, Alexandria, Virginia 22313-1450	<input checked="" type="checkbox"/> transmitted by Facsimile to the Patent and Trademark Office at 571-273-8700.
Date: <u>March 17, 2006</u>	<u>John E. McGarry</u> Signature <u>John E. McGarry</u> (type or print name of person certifying)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

REVISED PETITION TO MAKE SPECIAL PURSUANT TO 37 CFR §1.102(d)

This petition is responsive to the Decision on Petition to Make Special 37 CFR 1.102 (d) that was filed on February 14, 2006. The petition was dismissed because the Petitions Examiner held that Applicant had not satisfied the requirements of subparagraphs (A) and (B) of 37 CFR 1.102 (d). Applicant believes that the requirements of subparagraphs (A) and (B) of 37 CFR 1.102 (d) were satisfied but has revised this petition in an attempt to more clearly comply with the requirements of the rule.

Applicant hereby petitions the Commissioner to make the above-referenced application special under the provisions of 37 CFR §1.102(d). Please charge any additional fees associated with this petition to our Deposit Account No. 50-2003.

Applicant requests advancement of the examination in the above-identified patent application under 37 CFR §1.102(d) and MPEP 708.02, II (Infringement) because of an

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infringement of the claims pending in this application. Applicant's attorney believes that at least some of these claims contain patentable subject matter that is being infringed by the manufacture, sale and offer for sale of a product that is currently being sold by and a method currently being used by Trend Services Co. and Michael Babcock, both of Kalkaska, Michigan. Mr. Babcock is the President and owner of Trend Services Co.

The undersigned attorney has inspected photographs and other credible information from the inventor of the above identified application of an installation in the Central Lake 15 field by Trend Services Co. and Mr. Babcock of well monitoring equipment at multiple wells in the Central Lake 15 field in Northern Michigan and a data collection station that has an Internet uplink to a remote central data storage facility ("the Trend Well Monitoring System"). The undersigned attorney has also studied the Trend Services website and found additional information as to its web hosting services for the Trend Well Monitoring System.

The Trend Well Monitoring System is a system for collecting and storing well data wherein a central store collects well data from a number of remote wells through a communication network that includes a wireless well hopping system and the transmission of well data to and from a central store through the Internet. The Trend Well Monitoring System also appears to be further adapted to retrieve data from one or more well monitors upon request from one or more remote users under certain conditions. Trend Services is manufacturing and selling the Trend Monitoring System and is actually conducting well monitoring operations with the use of the Trend Well Monitoring System that it has sold to its customers.

The undersigned attorney has made a rigid comparison between the claims in this application and the Trend Well Monitoring System and is of the opinion that at least claims 1-4, 6, 9, 11-17, 19-22, 29 and 30 of the above identified patent application are allowable over all references known to applicant and have a scope which encompasses the Trend Well Monitoring System and the use of the Trend Well Monitoring System. Thus, in the opinion of the undersigned attorney, the manufacture, use, sale, or offer for sale of the Trend Well Monitoring System by Trend Systems is unquestionably an infringement of at least claims 1-4, 6, 9, 11-17, 19-22, 29 and 30 in the above-identified patent application.

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A careful and thorough search has been made by Applicant's attorney as well as by the European Patent Office in a corresponding PCT patent application. The results of both searches have been submitted to the U.S. Patent and Trademark Office.

In view of the foregoing, Applicant requests that the above-identified patent application be advanced out of order for examination at the earliest possible opportunity.

Respectfully submitted,

David Silvers

Dated: March 17, 2006

By: 

John E. McGarry, Reg. No. 22,360
MCGARRY BAIR PC
171 Monroe Avenue, NW, Suite 600
Grand Rapids, Michigan 49503
616-742-3500

G0217543